

12.146 MARINE PATROL: WATERWAY ENFORCEMENT AND EMERGENCIES ON THE OHIO RIVER

References:

Cincinnati Municipal Code Chapter 411 - Wharves and Public Landing
 Procedure 12.020 - Uniforms, Related Equipment, and Personal Grooming
 Procedure 12.035 - Reporting Police Vehicular Accidents and Damage
 Procedure 12.145 - Critical Incident Response Plan
 Manual of Rules and Regulations - 7.01, 7.02, 7.03, 7.04, 7.05, 7.06, 8.03
 Ohio Administrative Code 1501.47- Division of Watercraft
 Ohio Revised Code Chapter 1547 - Watercraft and Waterways
 Ohio Revised Code Chapter 1548 - Watercraft Certificates of Title
 Ohio Revised Code Chapter 1901.027 - Ohio River Jurisdiction
 SB284 - 119th Ohio General Assembly
 Ohio v. Kentucky, 471 U.S. 153 (1985)

Purpose:

Provide uniform guidelines for Department personnel when investigating marine emergencies on the Ohio River or other waterways.

Provide guidelines for the use, care, and maintenance of the Marine Patrol vessel and equipment.

Policy:

The primary responsibility of the Marine Patrol is to provide security patrols of waterway infrastructures designated as Buffer Zone Protection Plan (BZPP) sites during elevated Maritime Security (MARSEC) levels and Homeland Security threat levels.

A secondary responsibility of the Marine Patrol will include navigating and when necessary, enforcing waterway laws on the Ohio River within the City of Cincinnati's river boundaries. Marine Patrol operators may navigate outside the specified boundaries if exigent circumstances exist, i.e.:

- A Priority 1, Priority 2, or Priority 3 incident.
- During elevated (MARSEC) levels or Homeland Security threat levels.
- At the request for assistance from a law enforcement vessel operating on the river.
- At the direction of the Tactical Planning Unit OIC.
- At the direction of the district commander.
- Emergencies outlined in Section A. 5. h. 2).

Only qualified personnel will operate the vessel. When not operating under elevated Maritime Security levels or Homeland Security threat levels, a minimum of two qualified personnel must be on board the vessel before being placed in operation on a waterway.

Whenever the vessel is underway, all persons on board the vessel will wear an approved United States Coast Guard (USCG) personal flotation device (PFD).

During routine river patrol and marine emergencies, Marine Patrol operators will report to the affected district/section/unit officer in charge (OIC).

During elevated MARSEC levels or Homeland Security threat levels, Marine Patrol operators will report to the Tactical Planning Unit OIC.

Information:

The Cincinnati Police Communications Section (PCS) is the central agency for initiating emergency notifications of agencies affected by marine disasters or potential marine disasters with the possibility of loss of life, in an area encompassing a 35-mile stretch. This area, beginning just east of the I-275 Bridge on the east side of Hamilton County and extending to the Ohio-Indiana border on the west, includes the Licking and Great Miami Rivers. Twenty-three different police agencies from Ohio and Kentucky are included in this area.

The Cincinnati Police Department operates a 23' SeaArk Marine Patrol Boat (vessel). When in tow, the vessel has a clearance height of 13'5" and cannot be operated under certain overpasses, i.e., 6300 Madison Road and the 300-400 block of Collins Avenue. All overpasses under 14' display placards indicating clearance height.

The Marine Patrol vessel is assigned to the Tactical Planning Unit and can be recalled 24 hours a day via PCS. Marine Patrol operators can deploy to the scene of an incident within two hours of being recalled. Tactical Planning Unit and PCS maintain a current list of qualified personnel permitted to operate the vessel.

Upon request, the Marine Patrol will provide assistance to jurisdictions with mutual aid agreements or under Homeland Security agreements.

Services include:

- Homeland Security missions during heightened terrorism threat levels as assigned by the U.S. Department of Homeland Security.
- Security missions during elevated MARSEC levels.
- Enforcement of state and local waterway laws. (The preferred course of action is to advise vessel operators to correct deficiencies to bring them into compliance with state and local waterway laws.)
- Investigation of boating accidents.
- Assistance to boaters in distress.

- Search/recovery of missing persons.
- Boating/water safety instruction.

The Marine Patrol vessel will be utilized to transport and provide a diving platform for the Hamilton County Police Association Underwater Search and Recovery Unit (USRU).

In addition to the above, the Marine Patrol is equipped to respond to marine disasters or potential marine disasters with the possibility of loss of life.

The affected district OIC will determine the priority of the marine disaster incident.

General Classes of Incidents:

- Priority 1 - Any incident with the potential to threaten significant amounts of the population or a large area of the river with the potential for a general evacuation.
- Priority 2 - An incident that presents a significant threat to a localized area or areas. A general evacuation is not needed; may require a local evacuation.
- Priority 3 - A serious accident or incident involving a manned vessel with fatality, injury, or the potential for same. Minimum threat to land base or river facility with no evacuation.

Procedure:

A. Responding to Emergencies on the Ohio River

1. Officers who become aware of an emergency situation on the river will contact PCS and provide the following information:
 - a. Nature of emergency (e.g., runaway barge, chemical spill, boat fire, drowning, etc.).
 - b. Location by river mile marker (if known), land address and/or prominent landmark.
 - c. If the emergency is moving, note direction and approximate speed.
 - d. Identification of vessel(s), person(s), and facilities involved.
 - 1) If the vessel has cargo, attempt to determine type of cargo. This information will facilitate the proper response.
 - a) Barges carrying flammable/combustible liquids display a red 3x4 foot pennant affixed to the hull.

2. Request the Cincinnati Fire Department (CFD).
3. Request the affected district OIC if incident appears to fall within a Priority 1, Priority 2, or Priority 3 classification.
4. PCS will:
 - a. Notify the CFD.
 - b. Notify the affected district OIC.
 - c. If necessary:
 - 1) Contact other potentially affected agencies, i.e., USRU, Boone County Water Rescue, Campbell County Water Rescue, Kenton County Water Rescue, Greater Cincinnati Water Works, Ohio Department of Natural Resources (ODNR), USCG, and relay necessary information.
 - d. When requested, make notification according to the Situational Occurrences Notification List.
5. The affected district OIC will:
 - a. Respond and evaluate the circumstances, if needed, initiate the following:
 - b. Request assistance from agencies equipped to handle waterway operations i.e., USRU, Boone County Water Rescue, Campbell County Water Rescue, Kenton County Water Rescue, Greater Cincinnati Water Works, ODNR, or the USCG.
 - c. Implement the Seven Critical Tasks according to Procedure 12.145 Section B.
 - d. Notify restaurants, head-boats at marinas, industrial and commercial sites along the river, etc., of the potential for danger and the possibility of evacuation.
 - e. Close the Public Landing, parks, or other riverfront recreational areas.
 - f. Close bridges affected or potentially affected by the emergency.
 - g. Prohibit waterway travel on the affected area of the river.
 - h. Request the Marine Patrol through PCS.
 - 1) Response time, nature and priority level of incident must be considered when requesting use of the Marine Patrol.

- 2) Emergencies which may require the use of the Marine Patrol include, but are not limited to:
 - a) Barge breakaway due to collision, grounding or loose mooring.
 - b) Loss of cargo which may impact population on the river bank, bridges, or river commerce (Note: cargo may be oil, hazardous materials, etc.).
 - c) Boat fire or explosion of a commercial passenger vessel (e.g., B & B Riverboats, the Anderson Ferry).
 - d) Sinking barge or vessel with occupants.
 - e) Boat collision with serious injury/death.
 - f) Waterfront facility fire or explosion.
- 1] Floating restaurant, office, marina, or fuel dock.
- i. Ensure completion of all Department reports generated during the incident (Form 318, Conditions Affecting Other Departments; Form 316A, Deceased Person Report, for notification of next-of-kin; Form 316, Minor Accident/Aided Case/Mental Health Response Report; Form 301, Incident Report, etc.).
 - 1) The affected district OIC will prepare and forward a Form 17, After Action Report, through the chain of command.

C. Non-Emergency Use of the Marine Patrol

1. Districts/sections/units requesting use of the Marine Patrol for special events or incidents must submit the request on a Form 17 through channels. After approval by the Police Chief or the affected bureau commander, the requesting district/section/unit should contact the Tactical Planning Unit during normal business hours to reserve the Marine Patrol vessel.

D. Homeland Security Patrols

1. During elevated MARSEC levels and Homeland Security threat levels, the Marine Patrol will conduct patrols of waterway infrastructures designated as BZPP sites.
2. A minimum of four officers will be on board the vessel at all times.
 - a. Two officers will be qualified vessel operators.
 - b. Two officers will be SWAT officers.

E. Use of Marine Patrol Outside City Limits

1. Approval must be given by a captain or higher.
2. If a captain or higher is not available, the Tactical Planning Unit commander may give authorization.
3. If the Tactical Planning Unit commander is not available, obtain approval from a Marine Patrol supervisor.
4. An officer from the requesting agency must be on board to initiate enforcement action.
5. Only CPD Marine Patrol operators will navigate the vessel.

F. Marine Patrol Duties and Responsibilities

1. Notify PCS the vessel is underway, number of personnel on board, current location and destination of vessel.
2. Notify the USCG Sector Ohio Valley on VHF Channel 16 and provide above information.
3. Enforce state and local waterway laws.
 - a. The preferred course of action is to advise vessel operators to correct deficiencies to bring them into compliance with state and local waterway laws.
4. Coordinate efforts with public agency vessel operators while keeping PCS informed of the situation.
 - a. If vessels have not been deployed to the scene, notify PCS of specific equipment needed and the nature of the task to be performed (e.g., recovery of wreckage, articles, cadavers, towing of boats, etc.).
 - 1) If requested, provide a diving platform for the USRU.
5. Relay river emergency information via VHF Channel 16 to all commercial/recreational vessels, marinas, commercial/industrial sites, etc.
6. Tow disabled boats.
 - a. Tow boats to the nearest dock or place of safe mooring.

7. Report any damage to vessel and/or equipment to the OIC of the event or incident.
 - a. Ensure all necessary forms and reports are completed according to Procedure 12.035, Reporting Police Vehicular Accidents and Damage.
 - 1) Check that all additional equipment assigned is accounted for and operational.
 8. Immediately acknowledge a unit contact with location of river mile marker and status.
 9. Secure with PCS and the USCG when the Marine Patrol vessel is safely moored.
 10. Complete a Marine Patrol Daily Activity Log and forward to the Tactical Planning Unit for record keeping.
- G. Equipment Inventory
1. Marine Patrol operators will inventory and inspect the Marine Patrol vessel and equipment after each deployment, call-up, or training session.
- H. Tactical Planning Unit Duties and Responsibilities
1. Maintain an updated "Emergency Notification Plan" for responses to Ohio River emergencies.
 - a. Forward copies to Districts One, Two, and Three.
 2. Maintain a copy of the emergency notification list forwarded by Districts One, Two, and Three.
 3. Maintain a Marine Patrol SOP and recall roster.
 4. Maintain a log of Marine Patrol deployments, call-ups, and training sessions.
- I. Districts One, Two, and Three will:
1. Maintain a copy of the "Emergency Notification Plan" at the district front desk and in the supervisors' field Civil Disturbance Operation Procedure (CDOP) manuals.
 2. Maintain an emergency notification list of potentially affected locations along the river within their respective district boundaries.
 - a. Update the list immediately upon learning of a change.
 - b. Review and update their respective lists annually.

- c. Ensure notification/evacuation of affected areas within their district.
- d. Ensure Tactical Planning is forwarded a copy of their current emergency notification list.

J. Recall Roster

- 1. Marine Patrol operators will immediately notify the Tactical Planning Unit of any change of address or phone numbers.
- 2. Tactical Planning Unit will provide an updated personnel recall roster to PCS following any changes.